



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

Serial No.:

Filed:

Group Art Unit:

Title:

Romano, Jack W. et.al.

10/730,297

12/08/2003

3761

**Method and Apparatus For
Converting Supplies and
Reducing Waste**

Examiner:

Michael G. Bogart

Request for Continued Examination 37 CFR 1.114

Enclosed-\$395.00 RCE fee under 1.17(e)

Enclosed-37 CFR 1.136(a)-\$795.00 fee under 37 CFR 1.17(a)(4)

Commissioner For Patents

Alexandria, VA 22313-1450

Honorable Commissioner:

In response to the Detailed Office Action dated 11/16/2005, please consider the above identified patent application as follows:

In The Drawings

Applicant prefers to defer a decision on formal drawings pending receipt of a formal notice of allowance with respect to the instant case.

Claim Rejections- 35 USC 112, page 2

Applicant stated to the Examiner, in a telephone interview, that it is believed a typo exists in the aforementioned Office Action. Paragraph one, of page two, of the Examiners comments starts with reciting "Claims 4-10". In said telephone interview, the Examiner and the Applicant agreed that said "Claims 4-10" is an incorrect typo and said recitation should read "Claims 7-10" whereas the basis of the 112 rejection of this paragraph, is found in the last sentence of recited paragraph stating "The label and the step of providing a medical waste and/or conversion label" is directed at subject matter that is not found in prior Claims 4-6 but is subject matter which is found in prior claims 7-10. Therefore, Applicant goes forward with this RCE on the basis, recognizing this typo and reading the recitation in said paragraph as originally intending to recite "Claims 7-10" and not "Claims 4-10", Applicant relying on such, inter alia, for this RCE.

Claim Rejections-35 USC 102(e)

Claims 7-14 are rejected under 35 USC 102(e) as being anticipated by Romano (US 2003/0079803 A1. Applicant believes the enclosed Declaration/Affidavit successfully proves the cited invention disclosed but not claimed in said reference was derived from